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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,393	12/07/2000	Kunihiko Take	09792909-4719	9869

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EXAMINER

KIBLER, VIRGINIA M

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 08/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,393

Applicant(s)

TAKE, KUNIHICO

Examiner

Virginia M Kibler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (6,292,582) in view of Takagi et al. (6,438,438).

Regarding claim 1, Lin et al. ("Lin") discloses a semiconductor wafer examination system (Abstract, lines 1-3) including a defect classification device adapted to pick up an image of the surface of a defective semiconductor wafer, compare the defect image with an image of the surface of a normal semiconductor wafer, identify each defective area isolated as a characteristic area of a defect in the defect image (Col. 16, lines 30-51) on the basis of the outcome of the comparison and defect detection parameters (Col. 19, lines 54-61 and Col. 20, lines 1-9) for defining threshold values for defects and automatically determine the type of defect of the defective area on the basis of a knowledge base for determining the type of defect according to the characteristic quantity of the defective area (Col. 29, lines 42-67). Lin further discloses a classification support device including a classification means for identifying the defective areas of a plurality of defect images on the basis of the normal image and the defect detection parameters and classifying the identified areas (Col. 29, lines 56-67), a defective area

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display means for displaying images and information generated by the defect classification and editing means for editing the defect detection parameters on the basis of the defective areas displayed by the defective area display means (Col. 17, lines 62-67 and Col. 18, lines 1-5), a classification result re-instructing means for manually re-classifying the result of the classification of the defective areas obtained by the classification means (Col. 30, lines 15-26) and a selection means for selecting classified defect image data for preparing the knowledge base from the plurality of defective areas as classified by the classification result re-instructing means (Col. 30, lines 27-48). Lin does not appear to expressly state displaying the plurality of defective areas as classified. However, Takagi et al. ("Takagi") teaches that it is known to display the plurality of defective areas as classified (Col. 4, lines 6-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the display means disclosed by Lin to include displaying the plurality of defective areas as taught by Takagi in order provide the operator with information visually showing the result of the defect classification and enable the operator to change the information.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,233,719 to Hardikar et al. for analyzing semiconductor production data;
and

U.S. Pat. No. 6,185,324 to Ishihara et al. for semiconductor failure analysis system.

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Contact Information

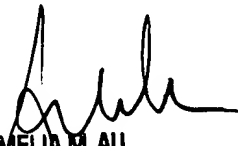
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Virginia M Kibler whose telephone number is (703) 306-4072.

The examiner can normally be reached on Mon.-Thurs. 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703) 308-6604. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

VK
August 6, 2003


AMELIA M. AU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600